

From: Leonard Bennett <lenbennett@clalegal.com>
Date: March 23, 2011 2:42:57 PM EDT
To: "Lynch, John C." <john.lynch@troutmansanders.com>
Cc: Donna Winters <dwinters@clalegal.com>, "jbazaz@bazazlaw.com" <jbazaz@bazazlaw.com>, "Ostroff, Ethan G." <Ethan.Ostroff@troutmansanders.com>, Matt Erausquin <matt@clalegal.com>, "Derby, Erin Rigney" <Erin.Derby@troutmansanders.com>
Subject: Re: Wilkes v. Experian Information Solutions, Inc. et al

I am not asking for a corporate rep. I am asking for the employees that actually handled the Wilkes' file. I am fine if you do not disclose - but you will not be able to later disclose. I have litigated the same issue in this District.

On Mar 23, 2011, at 2:39 PM, Lynch, John C. wrote:

Len,

I am sorry. I have been in depositions and preparation since very early this morning.

My understanding is that we are identifying a corp witness today or tomorrow even though we have no obligation to do so. We have litigated this exact issue before a federal judge in alexandria. However, the issue will be moot once the identification is made.

Thanks and let's talk later. John

----- Original Message -----

From: Leonard Bennett <lenbennett@clalegal.com>
To: Leonard Bennett <lenbennett@cox.net>
Cc: Donna Winters <dwinters@clalegal.com>; John C. Bazaz <jbazaz@bazazlaw.com>; Ostroff, Ethan G.; matt@clalegal.com <matt@clalegal.com>; Lynch, John C.; Derby, Erin Rigney
Sent: Wed Mar 23 14:03:58 2011
Subject: Re: Wilkes v. Experian Information Solutions, Inc. et al

Counsel:

Having forced my way through your reception screen I was told that you are both in depositions today. Given that each of you certainly has regular access to voicemail and email, I was surprised to learn in this manner that you would not participate in our call today and that you have not requested an alternate time. If nothing else your refusal to return calls or emails is discourteous.

We have attempted now on multiple occasions to meet and confer on this issue - your Rule 26a1s - and on your affirmative defenses. We will be filing our motions shortly.

Len Bennett'

On Mar 23, 2011, at 1:57 PM, Leonard Bennett wrote:

Counsel:

I am calling your office now for our 2 pm conference call.

Len

On Mar 22, 2011, at 6:38 PM, Leonard Bennett wrote:

Counsel:

I have not received any supplemental witness names from you pursuant to Rules 26a1 and 26e. We would like to meet and confer immediately in anticipation of our Rule 37c1 motion to exclude later disclosed GMAC witnesses from trial and SJ. Donna in my office will circulate a call number for a meet and confer

conference tomorrow at 2 p.m.. If that time does not work for you, please provide an alternate time before 6 p.m. at which a Troutman Sanders attorney available.

As an aside, we have now settled with Experian and are engaged in an effort to settle with TU.

Len Bennett

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